

Message Text

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ORIGIN EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 TRSE-00 EUR-12

ERDA-05 ISO-00 EA-07 MC-02 ACDA-05 L-03 /042 R

DRAFTED BY EB/ITP/EWT:RWPRACHT:ERS

APPROVED BY EB/ITP/EWT:MTLORIMER

EA-PHABIB

EB/ITP- CWSCHMIDT

COMMERCE/OEA-EWALINSKY

RPE

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P 231607Z SEP 75

FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

INFO AMCONSUL HONG KONG PRIORITY

C O N F I D E N T I A L STATE 226382

EXCON

E.O. 11652:XGDS-1

TAGS: ESTC, COCOM

SUBJECT: EXPORT CONTROL STATUS OF SOUTH VIET-NAM AND
CAMBODIA

REF: OECD PARIS 23560

USDEL MAY SUBMIT FOLLOWING STATEMENT IN COCOM:

1) IT IS THE POLICY OF THE UNITED STATES TO MAINTAIN AN
EMBARGO FOR FOREIGN POLICY AS WELL AS STRATEGIC REASONS ON
VIRTUALLY ALL COMMERCIAL, TRANSPORT AND FINANCIAL TRANS-
ACTIONS WITH SOUTH VIET-NAM AND CAMBODIA, AS WELL AS WITH
NORTH VIET-NAM. THE ONLY EXCEPTIONS TO THIS EMBARGO ARE
NON-COMMERCIAL TRANSACTIONS OF A STRICTLY HUMANITARIAN
NATURE. THIS POLICY IS IMPLEMENTED THROUGH THE DEPARTMENT
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OF COMMERCE EXPORT ADMINISTRATION REGULATIONS AND THE
TREASURY DEPARTMENT FOREIGN ASSETS CONTROL REGULATIONS.
BOTH OF THESE REGULATIONS PROHIBIT UNLICENSED TRANSACTIONS
BY AMERICAN FIRMS WITH SOUTH VIET-NAM AND CAMBODIA AND

MAINTAIN A POLICY OF NOT APPROVING LICENSES EXCEPT FOR HUMANITARIAN TRANSACTIONS. THE EMBARGO WAS PUT INTO EFFECT FOR EXPORTS OF GOODS AND SERVICES OF US ORIGIN BY THE DEPARTMENT OF COMMERCE ON MAY 16, 1975 AND FOR ALL OTHER TRANSACTIONS BY THE TREASURY DEPARTMENT FOR CAMBODIA ON APRIL 17, 1975 AND FOR SOUTH VIET-NAM ON APRIL 30, 1975.

2) IN ADDITION TO PROHIBITING DIRECT EXPORTS FROM THE UNITED STATES, THIS POLICY ALSO PROHIBITS THE EXPORT OF COMPONENTS OR OTHER MATERIALS FOR INCORPORATION IN GOODS TO BE EXPORTED BY OTHER COUNTRIES TO EITHER SOUTH VIET-NAM OR CAMBODIA. THUS THE UNITED STATES WILL DENY ALL SUCH LICENSES EXCEPT FOR CLEARLY HUMANITARIAN SHIPMENTS WHICH WE ARE PREPARED TO EXAMINE ON A CASE-BY-CASE BASIS.

3) IN APPLYING THE SAME STRINGENT CONTROLS TOWARD SOUTH VIET-NAM AND CAMBODIA AS TOWARDS NORTH VIET-NAM THE UNITED STATES RECOGNIZES THAT THE CONDITIONS IN ALL THREE AREAS HAVE BECOME SIMILAR. THERE IS ALSO RECOGNITION OF THE FACT THAT THE CONTROLS APPLICABLE TO NORTH VIET-NAM CAN BE FRUSTRATED BY SHIPMENTS MADE TO SOUTH VIET-NAM. IN THE VIEW OF THE UNITED STATES, IT WOULD ALSO BE ILLOGICAL FOR OTHER MEMBER COUNTRIES OF COCOM TO TREAT SOUTH VIET-NAM AND CAMBODIA DIFFERENTLY FROM NORTH VIET-NAM. THE UNITED STATES WOULD THEREFORE HOPE THAT THE OTHER MEMBER COUNTRIES OF COCOM MAY RECOGNIZE THIS AND FOLLOW SIMILAR POLICIES OF NOT ALLOWING ITEMS TO BE EXPORTED TO SOUTH VIET-NAM AND CAMBODIA THAT CANNOT NOW BE EXPORTED TO NORTH VIET-NAM. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, EXPORT CONTROLS, STRATEGIC TRADE CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 SEP 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE226382
Document Source: ADS
Document Unique ID: 00
Drafter: EB/ITP/EWT:RWPRACHT:ERS
Enclosure: n/a
Executive Order: 11652 XGDS-1
Errors: n/a
Film Number: D750329-0727
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t197509105/baaaacii.tel
Line Count: 87
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 20 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20 MAY 2003 by GarlanWA>; APPROVED <30 MAY 2003 by GarlanWA>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: ESTC, CB, US, VS, COCOM
To: OECD PARIS INFO HONG KONG
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006